

AUG. 27. 2002 11:53AM

858 792-6773 FOLEY AND LARDNER

NO. 1862 P. 4

#26  
9/15/02

Atty. Dkt. No. SALK1470-2  
(088802-1852)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Evans and Forman  
Title: METHOD OF TESTING  
COMPOUNDS FOR REGULATION  
OF TRANSCRIPTION OF  
PEROXISOME PROLIFERATOR  
ACTIVATED RECEPTOR-GAMMA  
(as amended)  
Appl. No.: 09/155,252  
Filing Date: 09/21/1998  
Examiner: B. Bunner  
Art Unit: 1647

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Washington, D.C. on the date below.  <u>Stephen E. Reiter</u> (Printed Name) <u>[Signature]</u> (Signature) <u>August 27, 2002</u> (Date of Deposit)
---

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
Washington, D.C. 20231  
BOX AF

Sir:

Applicants hereby appeal to the Board of Patent Appeals from the decision of the final rejection dated February 27, 2002, of the Examiner finally rejecting Claims 16-20 and 22-28.

- ☒ [ X ] Applicants claim small entity status.
- ☒ [ X ] Applicants hereby petition for an extension of time under 37 C.F.R. 51.136(a) for the total number of months checked below:
- ☒ [ X ] Notice of Appeal Fee
- ☒ [ X ] To be paid as detailed below
- ☐ [ ] Not required (Fee paid in prior appeal)

Atty. Dkt. No. SALK1470-2  
(088802-1852)

The required fees are calculated below:

<input checked="" type="checkbox"/>		Notice of Appeal Fee	\$320.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:		\$920.00
<input checked="" type="checkbox"/>	Extension Already Obtained for second month:		-\$400.00
	FEE TOTAL:		\$840.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$420.00
	TOTAL FEE:		\$420.00

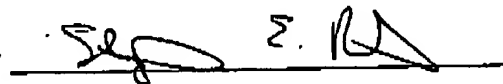
- ☒ Please charge Deposit Account No. 50-0872 in the amount of \$420.00. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: August 27, 2002

By



FOLEY & LARDNER  
P.O. Box 80278  
San Diego, California 92138-0278  
Telephone: (858) 847-6711  
Facsimile: (858) 792-6773

Stephen E. Reiter  
Attorney for Applicant  
Registration No. 31,192